

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JUL 25 2013

JULIA C. DUBLEY, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA,)
)
) Case No. 7:06-cr-00007-1
)
v.) MEMORANDUM OPINION
)
JAMAL EDWARD CRUMP.) By: Samuel G. Wilson
) United States District Judge

The court has received two motions from defendant, Jamal Edward Crump, asking the court for a “redress of grievances under the First Amendment of the United States Constitution.” Crump asserts his right under the First Amendment to the United States Constitution for the court to hold an evidentiary hearing regarding his previously filed petition pursuant to 28 U.S.C. § 2255. Because Crump’s motions merely recast issues already raised and addressed in his prior § 2255 proceeding, and argue that he has a right under the First Amendment to be heard on the merits, the court denies his motions for a “redress of grievances” and construes and summarily dismisses the current motions under § 2255(h) as a successive § 2255 motion.¹

Crump has already pursued a § 2255 motion regarding the same judgment.² See United States v. Crump, Case No. 7:06cr00007-1, 2012 U.S. Dist. LEXIS 23179 (W.D. Va. 2012), appeal dismissed, 474 F. App’x 241 (4th Cir. 2012) (unpublished). This court may consider a second or successive § 2255 motion only upon specific certification from the United States Court of Appeals for the Fourth Circuit. § 2255(h). Crump offers no indication that he has obtained certification from the court of appeals to file a second or successive § 2255 motion. Therefore,

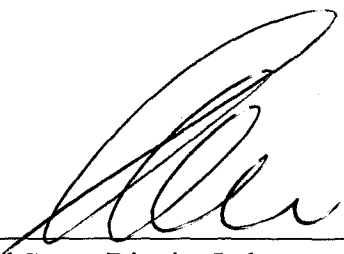
¹ Because Crump does not demonstrate any defect in the integrity of the prior § 2255 proceedings, he fails to present a proper ground for relief under Rule 60(b), and his motions are properly considered and dismissed as a successive § 2255 motion. Gonzalez v. Crosby, 545 U.S. 524, 532 (2005).

² By order entered February 24, 2012, this court denied Crump’s § 2255 due to the one-year statute of limitations.

the court will direct the clerk's office to docket Crump's current submissions as a § 2255 motion, which will be summarily dismissed as successive. An appropriate order will issue this day.

The Clerk is directed to send copies of this memorandum opinion and accompanying order to Crump

ENTER: This 25th day of July, 2013.



United States District Judge